



**SPECIAL MINUTES OF THE JOINT MEETING OF THE  
SAN JOSÉ CITY COUNCIL AND SANTA CLARA VALLEY  
WATER DISTRICT BOARD OF DIRECTORS**

**SAN JOSÉ, CALIFORNIA**

**FRIDAY, APRIL 28, 2017**

The Council of the City of San José convened in Special Session at 9:04 a.m. in the Santa Clara Valley Water District Headquarters Board Room, 5700 Almaden Expressway, San José, California.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, T. Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All Present.

District Board Members: Estremera, Kremen, LeZotte, Keegan, Santos, Varela, Hsueh.

City Staff: City Manager Norberto Dueñas, City Attorney Richard Doyle; Deputy City Manager, David Sykes; City Clerk Toni J. Taber, CMC; Director, Environmental Services, Kerrie Romanow; Deputy City Manager/Director of Economic Development Kim Walesh; Assistant City Manager Environmental Services, Ashwini Kantak, and Deputy City Clerk, Ruth Krantz.

District Staff Members: Interim Chief Executive Officer N. Camacho, District Counsel S. Yamamoto, Clerk/Board of Directors, M. King; R. Callender, A. Cheung, A. Comelo, J. Fielder, V. Gin, G. Hall, K. Oven and M. Richardson.

**PLEDGE OF ALLEGIANCE**

Mayor Sam Liccardo led the Pledge of Allegiance.

**INTRODUCTION**

Board of Directors Chair, John L. Varela and Mayor Sam Liccardo offered opening comments. Interim Chief Executive Officer Norma Camacho and Deputy City Manager David Sykes provided an overview of water issues in San José and Santa Clara County.

Documents Filed: (1) Memorandum from Deputy City Manager, David Sykes, dated April 27, 2017, providing information supplemental to staff reports provided by the Santa Clara Valley Water District for the Joint District Board/City Council Special Meeting. (2) Attachment 1: Flood Recovery Efforts. (3) Attachment 2: Memorandum from City Attorney Richard Doyle, dated March 9, 2017, regarding Creek Maintenance Responsibility. (4) Board Agenda Memoranda from the Santa Clara Valley Water District, each dated April 28, 2017, “Overview of Water Issues in San José and Santa Clara County”; “Discussion of Coyote Creek Flooding”; “Discussion of Stream Maintenance Efforts”; and “Discussion on the Anderson Dam Seismic Retrofit Project”. (5) Santa Clara Valley Water District Powerpoint presentations: “Overview of Water Issues in San José and Santa Clara County”; “Stream Maintenance Program”; and “Winter of 2016-2017 was an extraordinary Rainy Season”; and “Anderson Dam Seismic Retrofit Project”. (6) Santa Clara Valley Water District draft resolution “17-xx”.

Chairperson Varela and Mayor Liccardo offered opening remarks.

## **OVERVIEW OF WATER ISSUES**

District Interim Chief Executive Officer, Norma Camacho and Deputy City Manager, David Sykes presented the information as provided in Attachment 1 “Flood Recovery Efforts”.

## **COYOTE CREEK FLOODING**

District Interim Chief Operating Officer, Melanie Richardson and District Water Policy and Planning Manager Afshin Rouhani offered a presentation and outlined the required actions required.

Chairperson Varela opened the floor for public comment.

Public Comment: (1) Ted Smith requested that the District and City provide detailed reports on where debris had been cleared on Coyote Creek over the last ten years and on the Anderson Reservoir dewatering processes. (2) Jeffrey Hare expressed concern that Anderson dam seismic retrofit was not included on the agenda. (3) Steve Bennette, expressed concern with the term *100-Year Flood* alleging that the Coyote Creek area floods every ten years. (4) Teresa Pedreezco, expressed opposition to the term “President’s Day Flood” and requested information on public notification during the flood event. (5) Gail Osmer encouraged including homeless communities in flood planning.

Action: Upon motion by Board Member Richard Santos, seconded by Board Member Linda LeZotte and carried unanimously, District Board Resolution 17-34, “City of San José and Santa Clara Valley Water District Flooding Hazard Emergency Action Plan”, was adopted. (7-0.)

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sergio Jimenez and carried unanimously, Resolution No. 78154, entitled: “A Resolution of the Council of the City of San José Regarding the Development of a Joint Severe Storm Emergency Action Plan with the Santa Clara Valley Water District”, was adopted. (11-0.)

## **STREAM MAINTENANCE EFFORTS**

District Staff Member Richardson provided an overview and District Environmental Services Manager Scott Akin offered a presentation on stream maintenance efforts.

Mayor Sam Liccardo opened the floor for public comment.

Public Comments: (1) Ted Smith suggested that joint powers be formed to include land owners in stream maintenance programs. (2) Roger Castillo, expressed concern regarding the flood clean-up efforts causing potential damage to completed flood control projects. (3) Robert Van Cleer expressed support for increased maintenance in unimproved areas of Coyote Creek, particularly around Roosevelt Center. (4) Marilyn Rodgers expressed support for joint efforts in settling deadlines to complete work in preventing future flooding.

District Action: Upon motion by Board Member Santos, seconded by Board Member Kremen and carried unanimously, District and City Staff were directed to work together to discuss shared roles and responsibilities for storm drain and flood protection maintenance and to return at the next joint meeting with a Memorandum of Understanding (MOU) outlining responsibilities. (7-0.)

City Council Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Dev Davis and carried unanimously, City Staff was directed to support the District's efforts to obtain regulatory permits from state and federal agencies for both maintenance and capital projects in a timely, efficient and affordable manner. (11-0.)

## **FUTURE FLOOD PROTECTION EFFORTS**

District Action: Upon motion by Board Member Barbara Keegan, seconded by Board Member Richard Santos and carried unanimously, the District Board approved entering into a Memorandum of Understanding for Fee Waivers for Capital Improvement Projects with the City and approve Recommendations 1A and 1B. (7-0.)

City Council Action: Upon motion by Councilmember Raul Peralez, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the City Council approved entering into a Memorandum of Understanding for Fee Waivers for Capital Improvement Projects with the District and approve Recommendations 1A: That the District and City of San José reaffirm their commitment to collaboration on the South San Francisco Bay Shoreline Authorized Project for Economic Impact Area 11 and to continue working together collaboratively regarding Pond A18; and to work collaboratively to address the short and long-term project staging, construction, operations, maintenance and recreational needs of the South San Francisco Bay Shoreline Authorized Project for Economic Impact Area 11; and Recommendation 1B: That the City and District affirm their commitment to consider public safety and stewardship of creek corridors as part of future project planning, taking into account the need for proactive enforcement, cleanup efforts, park rangers, and other efforts. (11-0.)

## **ANDERSON DAM SEISMIC RETROFIT PROJECT**

District Deputy Operating Officer, Katherine Oven, and District Environmental Services Manager Scott Akin introduced the topic and offered a brief presentation.

Chairperson Varela announced that this item would need to be reagendized to a future meeting, as no more time was allotted to this meeting of the District and City Council.

## **ADJOURNMENT**

District Chairperson Varela adjourned the Special Session at 12:20 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

A handwritten signature in black ink, appearing to read 'Toni J. Taber', with a stylized flourish at the end.

Toni J. Taber, CMC  
City Clerk

rmk/4-28-17 MIN